

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
FINANCE**

**Friday, April 1, 2016
3:00 PM
State Capitol, Conference Room 308**

**In consideration of
SENATE BILL 2156, SENATE DRAFT 1, HOUSE DRAFT 2
RELATING TO WILDLIFE**

Senate Bill 2156, Senate Draft 1, House Draft 2 proposes to authorize the Department of Land and Natural Resources (Department) to enter into the interstate wildlife violator compact or similar agreement for mutual assistance in the enforcement of wildlife laws. Compacts are voluntary formal interstate agreements among states and are not federally initiated. **The Department supports the intent of this bill and offers the following comments.**

The majority of the other 49 states have enacted legislation for this compact, whereby lawbreakers who have lost their hunting, fishing, or trapping licenses in one state (e.g. due to poaching) would also lose their ability to hunt, fish, or trap in other member states within the Compact agreement for the same duration.

Implementation of the Interstate Wildlife Violator Compact in Hawaii would involve the cooperation and coordination of three divisions within the Department: Division of Conservation and Resources Enforcement, Division of Aquatic Resources, and Division of Forestry and Wildlife, as well as input from other stakeholders. The Department appreciates language in the bill allowing it to join the Compact at a time of its discretion, as the Department is in the process of filling a vacant position that is necessary to provide the administrative support for this compact agreement.

The Department appreciates the opportunity to provide these comments.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 31, 2016 9:43 AM
To: FINTestimony
Cc: dean@HawaiiGoesFishing.com
Subject: Submitted testimony for SB2156 on Apr 1, 2016 15:00PM

SB2156

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Dean Sensui	Hawaii Goes Fishing	Support	Yes

Comments: We support SB2156 SD1 HD2, along with the concept of including a requirement for scientifically determined wildlife and marine resource management protocols. This is in hopes of perpetuating the natural resources which we all depend upon. Mahalo, Dean Sensui, executive producer Hawaii Goes Fishing

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Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair
COMMITTEE ON FINANCE
March 31, 2016

SUPPORT for SB2156 SD1 HD2, Relating to Wildlife

HFACT is a not-for-profit, IRS 501c(5) organization, that advocates for small boat commercial, non-commercial, and recreational fishermen throughout Hawaii. HFACT board members sit on a number of federal fisheries management and endangered species advisory committees; and, HFACT is thoroughly familiar with and participates in ocean and marine resource management in Hawaii and the central Pacific.

HFACT **SUPPORTS** the intent of SB2156 SD1 HD2, Relating to Wildlife. However, HFACT suggests an amendment to this bill to further strengthen the State's commitment to sustainable fisheries and wildlife management.

Hawaii is one of only 5 states in the nation that is not part of the Interstate Wildlife Violator Compact that was first established in the mid-1980's. The other non-member states are Delaware, Massachusetts, New Jersey, and Nebraska. HFACT believes that an interstate compact that provides reciprocal information sharing between member states regarding fish and wildlife violations is a positive move toward additional protection of Hawaii's fisheries and wildlife. While Hawaii is late in joining this Interstate Compact agreement, joining into this agreement will benefit Hawaii's future.

HFACT further suggests that SB2156 SD1 HD2 be amended so that the department of land and natural resources adopts science-based management of its fisheries and wildlife. Hawaii is woefully behind state-of-the-art fisheries and wildlife management compared to the rest of the nation, and also compared to many nations. Adopting a science-based approach is foundational to the proper management of irreplaceable natural resources.

The construction of Hawaii's fisheries and wildlife statutes, rules, regulations and policies should be made solely on the basis of the best peer-reviewed scientific and commercial data available. The careful evaluation of scientific evidence is fundamental to the management of all natural resources. The State should strive to make every effort to utilize scientific advances that improve our ability to understand nature and its processes. HFACT proposes that the natural resources management agencies, primarily the department of land and natural resources, adopt policies and procedures that utilizes criteria, establishes procedures, and provides guidance to its field biologists and managers regarding the use of peer-reviewed scientific information in its management and rulemaking processes.

HFACT thanks the chair, vice-chair, and committee members for this opportunity to provide comment and to assist in the conservation of Hawaii's natural resources.

Sincerely and Aloha,

Phil Fernandez
President

Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.
1082 Lunalilo Home Road, Honolulu, HI. 96825

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 31, 2016 12:30 PM
To: FINTestimony
Cc: tony@pop-hawaii.com
Subject: Submitted testimony for SB2156 on Apr 1, 2016 15:00PM

SB2156

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Tony Costa	Hawaii Nearshore Fishermen	Comments Only	No

Comments: SB2156 HNF would like to comment only – speaking of wildlife and nearshore Hawaiian waters The necessity to maintain and properly manage Hawaii’s wildlife and natural resources is critical to an island State surrounded by water. The proper management of food security and sustainability is imminent. Local food production relies on various factors of natural resources – land, water, wildlife, marine life – In order to demonstrate and insure a robust protein producing environment. Hawaii’s nearshore ocean environment continues to be healthy and resilient despite over development with associated runoff, siltation, pollution and atrophy of fresh water artesian flows to nearshore estuarine habitats. It would only make sense to celebrate this jewel of production for future generation by coming to know and understand the resource better by establishing a comprehensive resource management plan through sound scientific baseline research – this would enable a successful continued coexistence of mankind, wildlife, and all the nearshore wonders. Tony Costa

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THE HUMANE SOCIETY
OF THE UNITED STATES



HUMANE SOCIETY
INTERNATIONAL

**Testimony in SUPPORT of SB2156: Wildlife Violators Compact
House Finance Committee**

April 1, 2016

**Submitted by Inga Gibson, Hawaii Senior State Director
The Humane Society of the United States-Hawaii, Humane Society International
igibson@humanesociety.org or 808.922.9910**

Dear Honorable Chair Luke, Vice-Chair Nishimoto and Committee Members:

We respectfully urge your SUPPORT of SB2156. This bill would allow DLNR to become a member of the national law enforcement network known as the Interstate Wildlife Violator Compact. 47 states are currently members of this Compact.

The Compact is an agreement between states to gain further compliance with wildlife related laws, ordinances, and regulations of participating states, while providing for the fair and impartial treatment of wildlife violators. Membership in the Compact only requires a \$300 annual database maintenance fee. According to existing member states, an estimated 10 hours per month of existing staff time entering information into the national database is all that is needed, so no new staffing is needed. **Further, we will be providing a grant to DLNR to cover 3 years of Compact membership and any necessary training.**

Wildlife officials estimate that nationally tens of millions of animals are poached each year. Poaching is a serious problem and far more often than not, poaching activity remains undetected and poachers go unpunished for their crimes. In fact, it is estimated that despite the tireless efforts of wildlife protection officers, a mere one to five percent of poachers are ever apprehended by law enforcement. Crimes that may be recorded and accessed via the IWVC database include but are not limited to the following: Illegal take or possession of big game, Illegal take or possession of threatened or endangered species, Felony wildlife violations, License violations, fraud, false statement, Waste of wildlife, Accumulated wildlife violations, Violations while on revocation, Sale/purchase of prohibited wildlife, Illegal take or possession of small game or migratory birds and Federal Wildlife Violations.

Modeled after the equally successful Driver's License Compact, the Interstate Wildlife Violator Compact was first developed back in the early 1990s. If enacted in Hawaii, it would prevent wildlife violators who have lost their wildlife related privileges in member states from coming to Hawaii to circumvent those license revocations. Enacting the compact would also ensure that those who have been punished with license revocations for illegal wildlife acts in Hawaii can't avoid their punishment by engaging in those activities in another member state.

Thank you very much for your time and consideration. Please see below Resolution #2011 of support from the International Association of Fish and Wildlife Agencies and subsequent letters of support from the IWVC Chair.



IN SUPPORT OF HAWAII JOINING THE INTERSTATE WILDLIFE VIOLATOR COMPACT

March 1, 2016

As Acting Chairman of the Board of Wildlife Violator Compact Administrators, I respectfully urge your support of legislation that would enter Hawaii into the Interstate Wildlife Violator Compact, a nationwide law enforcement network developed to address the problem of interstate wildlife violator movement.

The Compact is an agreement between states to gain further compliance with hunting, fishing and other wildlife laws, ordinances, and regulations of participating states, while providing for the fair and impartial treatment of wildlife violators. Membership in the Compact allows a state to revoke a person's hunting or fishing privileges based upon wildlife convictions and license revocations in another member state. This prevents a wildlife lawbreaker from leaving Hawaii to evade punishment and allows Hawaii to deny licenses to convicted wildlife violators. Revocations have been shown to be a great deterrent to potential poachers.

Hawaii, Massachusetts, Nebraska, and New Jersey are the only states that have not passed legislation to join the Compact, though legislation is advancing in Massachusetts and New Jersey. With most states as members of the Compact, Hawaii is at risk for becoming a safe haven for wildlife violators.

The Compact, modeled after the equally successful Driver's License Compact, allows officers in most instances to release non-resident violators with a citation in the same manner that a resident violator would be. Doing so takes a burden off of charging officers by allowing them to return to patrol duties sooner, rather than having to jail the person or handle collection of fines. Additionally, non-resident violators cannot evade punishment by crossing state lines without risking loss of hunting privileges in their home state. Once the violator complies with the citation, privileges are restored in his or her home state. If a violator is convicted, he or she will be entered into the Compact database and may have his or her hunting privileges revoked in all member states.

Entering violators into the Compact and ratifying other states' suspensions requires a minor time commitment and this responsibility is typically carried out by existing state wildlife agency personnel. There is currently a \$300.00 annual maintenance fee for member agencies for maintenance and upgrades to the compact database.

Joining the Compact is a two-step process. First, the state must pass legislation to enter into the Compact. Next, the agency will adopt regulations to implement Compact membership.

Hopefully the information provided will be a catalyst for your state's participation in this nationwide effort. We trust that Hawaii will consider joining the Interstate Wildlife Violator Compact and respectfully ask you to support this legislation. If you have questions, please contact me or any member state for additional information.

Sincerely,

Bob Thompson
Acting Chairman, IWVC Board of Compact Administrators
Colorado Parks and Wildlife

RESOLUTION #2011
LAW ENFORCEMENT COMMITTEE SUPPORT FOR
WILDLIFE VIOLATOR COMPACT

WHEREAS, the National Association of Conservation Law enforcement Chiefs recognizes the Wildlife Violator Compact as a significant tool to be utilized by fish and wildlife agencies to discourage the unlawful taking of our States' fish and wildlife resources; and

WHEREAS, the Wildlife Violator Compact is instrumental in assisting in the protection of every State's fish and wildlife resources, by discouraging interstate violator movement; and

WHEREAS, the Wildlife Violator Compact enhances the efficiency of wildlife enforcement officers by allowing for the issuance of citations to non-residents, rather than arrest; and

WHEREAS, the Wildlife Violator Compact has been joined by the states of Alabama, Alaska, Arizona, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Washington, West Virginia, Wisconsin and Wyoming; and

WHEREAS, the greatest success of this fish and wildlife protection tool is predicated on full participation in all aspects of the Wildlife Violator Compact by all fifty states.

NOW, THEREFORE, BE IT RESOLVED that the *International Association of Fish and Wildlife Agencies* supports and encourages membership and participation in the Wildlife Violator Compact by all fifty states.

International Association of Fish and Wildlife Agencies
at its
101th Annual Convention
Omaha, Nebraska
September 13, 2011

March 31, 2016

Aloha Chair Luke, Vice Chair Nishimoto and Members of the House Committee on Finance:

Thank you for this opportunity to testify in support of SB2156, SD1, HD2 Relating to Wildlife with requested amendment.

While the intent of SB2156 SD1 HD2 is laudable, absent in the measure are necessary science-based procedures to effectively monitor the health and management of our wildlife and marine resources and identify changes and or stressors on these resources. There is urgent need for the permanent establishment of a management plan in DLNR which includes determining baseline references, regular monitoring, scheduled periodic reviews and assessments to ensure the effective stewardship of the State's wildlife and marine resources, balancing conservation efforts with public non-exclusive uses and consumptive uses.

Your consideration of an amendment establishing critically needed fundamental resource management protocols in SB 2156 SD1 HD2 through the establishment of a permanent resource management plan to ensure the effective stewardship of our wildlife and marine resources grounded by structured science-based procedures is urged.

Thank you again for this opportunity to testify and offer comments on this measure.

Respectfully,

Roy N. Morioka

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 31, 2016 8:23 AM
To: FINTestimony
Cc: bcsc@hawaii.rr.com
Subject: Submitted testimony for SB2156 on Apr 1, 2016 15:00PM

SB2156

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
William K.Chang	Individual	Support	No

Comments: I urge and comment that any legislation regarding fishing and hunting be based on science based management to ensure the effective stewardship of our wildlife and marine resources.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 31, 2016 7:55 AM
To: FINTestimony
Cc: shyla.moon@ymail.com
Subject: Submitted testimony for SB2156 on Apr 1, 2016 15:00PM

SB2156

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Shyla Moon	Individual	Support	No

Comments: I support this bill but would like to see some different language in there that would give it strength. Lately lots of fisheries management regulations changed isn't based on good science. For instance the sea cucumber ban was done because of social media but not based on science. Please consider inputting language to reflect that all wildlife, game regulations and monitoring in the State of Hawaii should be science-based and not emotion-based. Mahalo for your time, Shyla Moon

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Sent: Thursday, March 31, 2016 9:48 AM
To: FINTestimony
Cc: bfunai@gmail.com
Subject: Submitted testimony for SB2156 on Apr 1, 2016 15:00PM

SB2156

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Brian F. Funai	Individual	Support	No

Comments: I am in SUPPORT but wish to comment and request that the Committee add an amendment to the measure. I respectfully request that a requirement for science grounded management protocols be added to ensure that our wildlife and marine resources are effectively and consistently managed for residents of this State.

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Sent: Thursday, March 31, 2016 9:40 AM
To: FINTestimony
Cc: daveitano@gmail.com
Subject: Submitted testimony for SB2156 on Apr 1, 2016 15:00PM

SB2156

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
David Itano	Individual	Support	No

Comments: I support the intent to bolster enforcement and the inclusion of law abiding, conservation minded fishermen and hunters access to our state resources. However, that is not enough. The regulations that they/we are required to abide by must be carefully developed and based on solid, science based management, not politics, anecdotal information or "feelings". I am a fishery scientist with long experience in this arena and hope that Hawaii government can support the need for science and fact to guide the rulemaking process.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 31, 2016 11:56 AM
To: FINTestimony
Cc: hfacte@gmail.com
Subject: Submitted testimony for SB2156 on Apr 1, 2016 15:00PM

SB2156

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Edwin Watamura	Individual	Support	Yes

Comments: Requesting an amendment to ensure that existing and future rules, regulations and laws are justifiable using the best available peer reviewed science. It wouldn't be "just" or morally right to persecute a violator resulting in him/her becoming an intrastate "criminal" if the regulations are not science based. Too many rules and regulations in existence are emotionally based and absent of all the important precepts of peer reviewed science. Therefore I feel that an amendment stating this is appropriate.

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Testimony to the House Committee on Finance

Friday, April 1, 2016

Comments on SB 2156, Relating to Wildlife.

To: The Honorable Sylvia Luke, Chair
The Honorable Scott Nishimoto, Vice-Chair
Members of the Committee

My name is Stefanie Sakamoto, and I am testifying on behalf of Fishing Tales with Mike Sakamoto, a company that was founded by my father in 1985.

While we understand the intent of SB2156 SD1 HD2, this legislation would benefit from the inclusion of necessary science-based procedures to effectively monitor the health and management of our wildlife and marine resources. There is urgent need for the permanent establishment of a management plan in DLNR which includes determining baseline references, regular monitoring, scheduled periodic reviews and assessments to ensure the effective stewardship of the State's wildlife and marine resources, balancing conservation efforts with public non-exclusive uses and consumptive uses.

We would support this bill if such an amendment is considered.

Thank you for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
Sent: Friday, April 01, 2016 4:07 PM
To: FINTestimony
Cc: rebezamo@gmail.com
Subject: *Submitted testimony for SB2156 on Apr 1, 2016 15:00PM*

SB2156

Submitted on: 4/1/2016

Testimony for FIN on Apr 1, 2016 15:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Rebeca Zamora	Individual	Support	No

Comments:

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